



Rev. 12/99  
For A Small Entity

#12 Notice of Appeal  
NMurphy-  
3/26/03 PATENTS

Attorney Docket No. ABBE-1

NOTICE OF APPEAL FROM THE PRIMARY EXAMINER TO  
THE BOARD OF PATENT APPEALS AND INTERFERENCES

In re Application of : Nancy A. Abbe  
  
Application No. : 09/844,627 Confirmation No.: 2399  
  
Orig. Filing Date : April 27, 2001  
  
RCE Filing Date : November 15, 2002  
  
For : APPARATUS FOR STORING FOOD  
  
Group Art Unit : 3727  
  
Examiner : Stephen Castellano

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TECHNOLOGY CENTER

New York, New York 10020  
March 17, 2003

Box AF  
Hon. Commissioner of Patents  
P.O. Box 2327  
Arlington, VA 22202

NOTICE OF APPEAL

Sir:

Applicant hereby appeals to the Board of Patent Appeals and Interferences from the decision of the Primary Examiner mailed December 19, 2002 rejecting claims 1-9, 13-17, 19-20, 24 and 26 in this patent application, for which a Request for Continued Examination under 37 C.F.R. § 1.114 was filed on November 15, 2002.

- Applicants respectfully request an oral hearing before the Board of Patent Appeals and Interferences. The appropriate fee is submitted herewith.

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- The appropriate fee for a \_\_\_\_\_-month extension of time to respond to the rejection was timely paid on \_\_\_\_\_.
- An additional \_\_\_\_\_-month extension of time to respond to the rejection is requested and the appropriate extension fee is submitted herewith.
- Address all correspondence to:

George L. Kanabe \_\_\_\_\_

Fish & Neave  
1251 Avenue of the Americas  
New York, New York 10020-1104

- A check in the amount of  \$160.00  \$300.00 in payment of the  appeal fee pursuant to 37 C.F.R. § 1.17(b);  appeal and oral hearing fees pursuant to 37 C.F.R. § 1.17(b) and § 1.17(d) is enclosed.
- The Director is hereby authorized to charge payment of any additional appeal fee, oral hearing fee, or both, or credit any overpayment of same, to Deposit Account No. 06-1075. A duplicate copy of this Notice of Appeal form is enclosed.
- Please charge  \$160.00  \$300.00 to Deposit Account No. 06-1075 in payment of the  appeal fee;  appeal and oral hearing fees. A duplicate copy of this Notice of Appeal form is enclosed.

EXTENSION FEE

- The following extension fee is applicable to the Notice of Appeal filed herewith:  \$55.00 extension fee for response within first month pursuant to 37 C.F.R. § 1.136(a);  \$205.00 extension fee for response within second month pursuant to 37 C.F.R. § 1.136(a);  \$465.00 extension fee for response within third month pursuant to 37 C.F.R. § 1.136(a);  \$725.00 extension fee for response within fourth month pursuant to 37 C.F.R. § 1.136(a);  \$985.00 extension fee for response within fifth month pursuant to 37 C.F.R. § 1.136(a);  \$\_\_\_\_\_ for additional extension fee beyond that previously paid.

- A check in the amount of  \$55.00  \$205.00  
 \$465.00  \$725.00  \$985.00  \$\_\_\_\_\_ in payment of the extension fee is enclosed.
- The Director is hereby authorized to charge payment of any additional extension fees required under 37 C.F.R. § 1.17, or credit any overpayment of same, to Deposit Account No. 06-1075. A duplicate copy of this Notice of Appeal form is enclosed.
- Please charge the  \$110.00  \$380.00  \$870.00  
 \$1,360.00  \$1,850.00  \$\_\_\_\_\_ extension fee to Deposit Account No. 06-1075. A duplicate copy of this Notice of Appeal form is enclosed.

George L. Kanabe

George L. Kanabe  
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03-20-03

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AF/3727  
JL

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of : Nancy A. Abbe

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EXPRESS MAIL CERTIFICATION

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Date of Deposit: March 17, 2003

I hereby certify that this certification and the following papers and fees:

1. Notice of Appeal (in duplicate);
2. Check in the amount of \$160.00; and
3. Return Postcard

are being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 C.F.R. § 1.10 on the date indicated above and are addressed to Box AF, Honorable Commissioner for Patents, P.O. Box 2327, Arlington, VA 22202.

Name:

Lillian Garcia  
Lillian Garcia